

# **Exhibit 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
GREENBELT DIVISION**

COSTAR REALTY INFORMATION  
and COSTAR GROUP, INC.,

Plaintiffs,

Civil Action No. 8:08-CV -663-  
AW

v.

MARK FIELD D/B/A ALLIANCE  
VALUATION GROUP, *et al.*

Defendants.

**EXHIBIT 1 -- AFFIDAVIT OF MARK FIELD**

I, Mark Field, make the following certificate under oath:

1. I am over the age of 18 years.

2. I am competent to testify and have personal knowledge regarding the facts

contained herein.

3. I am a defendant, Mark Field d/b/a Alliance Valuation Group.

4. On approximately November 15, 2004, I signed a "License Agreement  
Subscription Form" by virtue of which contract I was granted authorization to use the  
CoStar database. A copy of my contract with CoStar is attached as **Exhibit 2**.

5. Under my contract, I also paid for and received the use of a "key token" that  
allowed me to access the CoStar database from computers other than my primary personal  
computer. Exhibit 2, p. 3, 113 (b).

6. Under my contract, my written contract superseded any inconsistent terms that

might otherwise be found on the CoStar website. Exhibit 2, p. 1.

7. Under my contract, I was authorized to provide information from the CoStar database regarding particular properties and marketing trends to my clients and prospective clients. Exhibit 2, p. 2,12 (a) (2).

8. From time to time, I used my key token while away from my office to obtain authorized access to the CoStar database through computers other than my primary personal computer.

9. Defendant Pathfinder Mortgage Company was, at all relevant times, a client of mine.

10. From time to time, I used my key token while away from my office to obtain authorized access to the CoStar database through one or more computers located at Pathfinder's office.

11. I accessed the CoStar database through one or more Pathfinder computers for the authorized purpose of providing information regarding particular properties and marketing trends to my client, Pathfinder.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

**.2.7**  
September ~ 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Field', written over a horizontal line.

Mark Field